

107TH CONGRESS
1ST SESSION

H. R. 2797

To amend title 18, United States Code, to provide specific penalties for taking a firearm from a Federal law enforcement officer.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 2001

Mr. NEY introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide specific penalties for taking a firearm from a Federal law enforcement officer.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Gun Retention Act
5 of 2001”.

6 **SEC. 2. TAKING A FIREARM FROM A LAW ENFORCEMENT**
7 **OFFICER.**

8 (a) IN GENERAL.—Chapter 7 of title 18, United
9 States Code, is amended by adding at the end the fol-
10 lowing:

1 **“§ 117. Taking a firearm from a law enforcement offi-**
2 **cer**

3 “(a) Whoever knowingly takes a firearm—

4 “(1) from the person of a law enforcement offi-
5 cer, while such officer is engaged in the performance
6 of official duties; and

7 “(2) against that officer’s will;

8 or attempts to do so, shall be punished as provided in sub-
9 section (b).

10 “(b) The punishment for an offense under this sec-
11 tion is—

12 “(1) in the case of an offense other than an at-
13 tempt, or an offense that is an attempt during which
14 the firearm is discharged (other than intentionally
15 by the officer), a fine under this title and imprison-
16 ment for not less than 10 nor more than 15 years;
17 and

18 “(2) in the case of any other offense that is an
19 attempt, a fine under this title and imprisonment for
20 not less than 5 nor more than 10 years.

21 “(c) A term of imprisonment imposed under this sec-
22 tion shall not run concurrently with any other term of im-
23 prisonment imposed with respect to the same criminal epi-
24 sode.

25 “(d) As used in this section—

1 “(1) the term ‘firearm’ has the meaning given
2 that term in section 921 of this title; and

3 “(2) the term ‘law enforcement officer’ means
4 an officer or employee referred to in section 1114 of
5 this title.”.

6 (b) CLERICAL AMENDMENT.—The table of sections
7 at the beginning of such chapter is amended by adding
8 at the end the following new item:

 “117. Taking a firearm from a law enforcement officer.”.

